

F-08-01077

The James Madison Project
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7 April 2008

Scott A. Koch
Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

APPROVED FOR RELEASE
DATE: 18-Aug-2010

APR 07 2008

Re: FOIA Request – Intelligence Identities Protection Act

Dear Mr. Koch:

This is a request on behalf of the James Madison Project under the Freedom of Information Act, 5 U.S.C. § 552, et seq., for copies of all internal Central Intelligence Agency (“CIA”) documents and all remarks and reports prepared for Congress pertaining to the drafting and implementation of the Intelligence Identities Protection Act of 1982 (Pub.L. 97-200, 50 U.S.C. § 421-426) (“IIPA”).

If you deny all or part of this request, please cite the specific exemptions you believe justifies your refusal to release the information or permit the review and notify us of your appeal procedures available under the law. In excising material, please “black out” rather than “white out” or “cut out.”

We are hereby requesting a waiver of all fees. The James Madison Project is a non-profit organization under the laws of the District of Columbia and has the ability to disseminate information on a wide scale. Stories concerning our activities have received prominent mention in many publications including, but not limited to, *Washington Post*, *Washington Times*, *St. Petersburg Tribune*, *San Diego Union Tribune*, *European Stars & Stripes*, *Christian Science Monitor*, *U.S. News and World Report*, *Mother Jones* and *Salon Magazine*. Our website, where much of the information received through our FOIA requests is or will be posted for all to

“Knowledge will forever govern ignorance, and a people who mean to be their own Governors, must arm themselves with the power knowledge gives.”

James Madison, 1822

The James Madison Project

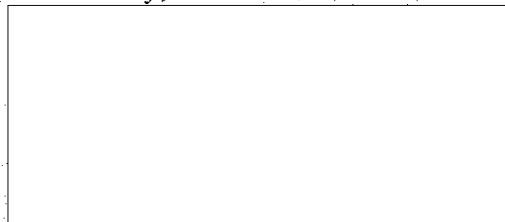
review, can be accessed at <http://www.jamesmadisonproject.org>. Prior requests submitted by our organization have all received fee waivers.

Furthermore, there can be no question that the information sought would contribute to the public's understanding of government operations or activities and is in the public interest. In 2003, Valerie Plame Wilson, a covert employee of the CIA, was identified publicly as such, leading to numerous Congressional hearings, a grand jury investigation, and the criminal case *U.S. v. Libby*. Foremost among the issues debated in these fora was the applicability of the IIPA, a debate that has continued to this day, as is evidenced by the 16 March 2007 testimony before the House Committee on Oversight and Government Reform by Victoria Toensing and myself, specifically addressing the relevance of the IIPA to the Plame scandal (<http://oversight.house.gov/story.asp?ID=1205>). Disclosure of responsive records pertaining to the CIA's involvement in the drafting and implementation of the IIPA will demonstrate the original intent of the CIA's desire for such legislative or regulatory protection and therefore provide an invaluable resource in the public debate over the current scope of the IIPA, and thereby would contribute to the public's understanding of government operations and activities.

Please respond to this request within 20 working days as provided for by law. Failure to timely comply may result in the filing of a civil action against your agency in the United States District Court for the District of Columbia. Your cooperation in this matter would be appreciated. If you wish to discuss this request, please do not hesitate to contact me at either (202) 498-0011 or my law office at (202) 454-2809.

Finally, please have all return correspondence addressed specifically to my attention to ensure proper delivery.

Sincerely,



Mark S. Zaid
Executive Director

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FAX

April 7, 2008

To: Scott A. Koch, Information and Privacy Coordinator

Fax: 703-613-3007

From: Kel McClanahan

Ph: 301-728-5908

Re: FOIA request

Pages (incl. cover): 3

Notes:

Please find attached a FOIA request from the James Madison Project. If you do not receive this request in its totality, please inform us immediately. Thank you.

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